

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

FMP STRATFORD LLC,)	
)	
Plaintiff,)	Case No. 08 CV 4073
)	
v.)	Judge Conlon
)	
CENTURY THEATRES, INC.,)	Magistrate Judge Valdez
)	
Defendant.)	

CENTURY'S MOTION TO STAY CASE PENDING ARBITRATION

Defendant Century Theatres, Inc. ("Century"), by Gerald B. Lurie and Janice L. Duban, its attorneys, hereby moves the Court for the entry of an order staying this case pending the resolution of Century's and plaintiff FMP Stratford LLC's ("FMP") arbitration proceedings currently pending before the American Arbitration Association ("AAA"). In support hereof, Century states the following and also submits its attached memorandum of law:

1. On July 17, 2008, FMP commenced this case by filing its initial complaint. On July 30, 2008, FMP filed an amended complaint. Attached to both versions as an exhibit is the commercial lease (the "Lease") between FMP, as landlord, and Century, as tenant, for Century's movie theater complex located in FMP's retail mall in Bloomingdale, Illinois that is the subject of FMP's lawsuit.
2. Section 18.5 at pages 66-67 of the Lease is entitled "Arbitration of Certain Disputes."
3. On February 27, 2008, pursuant to Section 18.5 of the Lease, Century submitted a demand for arbitration of disputes with FMP to the AAA.

4. On March 7, 2008, pursuant to the same Lease provision, FMP submitted its own demand for arbitration of disputes with Century to the AAA.

5. On or about March 28, 2008, the AAA requested that the parties agree to consolidate into a single proceeding the two arbitration proceedings commenced by the parties, and the parties so agreed.

6. As will be elaborated upon in Century's memorandum of law, FMP's claim alleged in its amended complaint is either subject to binding arbitration in accordance with Section 18.5 of the Lease, or should be stayed pending the resolution of the issues which are subject to arbitration.

WHEREFORE, defendant Century Theatres, Inc. requests that this Court enter an order staying this case pending resolution of the parties' arbitration proceedings.

Dated: August 15, 2008

CENTURY THEATRES, INC.

By: /s/ Janice L. Duban
One of its attorneys

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